

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

LAVOND A. HILL,
Plaintiff,

v.

JOHN E. WETZEL, *et al.*
Defendants

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Case No. 2:19-cv-960-SLH-KAP

Memorandum Order

Plaintiff's motion for an extension of time, ECF no. 93, is denied. It is based initially on a conclusory claim that prison officials are obstructing plaintiff's mail. As plaintiff notes, he has been sending correspondence in envelopes using other inmates' names. There is no appreciable difference in the time of delivery, indicating that plaintiff's claim of obstruction is demonstrably false. Plaintiff's three other reasons are that he had not received a reply to his discovery request when he filed his motion, that he is being prosecuted for another crime and expects to be at that trial, and that he seeks to file an amended complaint. As defendants (who also received their correspondence without any appreciable delay) have observed, their responses are not yet due. Second, a check of the state court docket indicates that plaintiff's summary appeal for disorderly conduct was scheduled for last Friday, which even if it was not held by videoconference hardly supports a claim that he cannot prepare his case on the schedule set in November 2022. Finally, plaintiff has been denied leave to amend his complaint.

Plaintiff's motion for recusal, ECF no. 96, is denied. Recusal cannot be based on a litigant's disagreement with the judge's rulings, which is all plaintiff claims.

DATE: January 23, 2023



Keith A. Pesto,
United States Magistrate Judge

Notice by ECF to counsel and by U.S. Mail to:

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